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9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)

No. 07-4432 MMC

14 Plaintiff,)

15 v.)

16 REAL PROPERTY AND IMPROVEMENTS)
LOCATED AT 636 SAN PABLO AVENUE,)
ALBANY, CALIFORNIA,)

STIPULATION AND ORDER DISMISSING
DEFENDANT 636 SAN PABLO
AVENUE, ALBANY, CALIFORNIA
PURSUANT TO RULE 41(a)(2)

17 Defendant.)

18
19 WINSLOW NORTON, ABRAHAM)
NORTON AND BAYVIEW LOAN)
SERVICING LLC,)

20
21 Claimants.)

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23
24
25 United States of America is plaintiff. The remaining defendant is Real Property and
26 Improvements located at 636 San Pablo Avenue, Albany California ("defendant 636
27 San Pablo Avenue"). Claimants Winslow Norton and Abraham Norton filed a claim and an
28 answer as to defendant 636 San Pablo Avenue. Bayview Loan Servicing LLC also filed a claim

1 and an answer in connection with defendant 636 San Pablo Avenue. The parties previously
2 dismissed defendant Real Property and Improvements Located at 3959 Cowan Road, Lafayette,
3 California. *See* Stipulation and Order, filed December 24, 2008.

4 Counsel for the United States and counsel for Abraham Norton and Winslow Norton,
5 Harold Rosenthal, agree, subject to the Court's approval, that this action be and hereby is
6 DISMISSED as against defendant 636 San Pablo Road pursuant to Rule 41(a)(2), Federal Rules
7 of Civil Procedure, with each party to bear his or its own attorneys' fees and costs.

8
9 IT IS SO STIPULATED: LAW OFFICES OF HAROLD ROSENTHAL

10 Dated: May ____, 2009

11 By: HAROLD ROSENTHAL
12 Attorneys for claimants Winslow Norton
13 and Abraham Norton

14 Dated: May ____, 2009

15 By: EDWARD G. SCHLOSS
16 Attorney for Bayview Loan Servicing LLC

17 Dated: May 27, 2009

18 By: JOSEPH P. RUSSONIELLO
19 United States Attorney

20 By: Patricia J. Kenney
21 PATRICIA J. KENNEY
22 Assistant United States Attorney
23 Attorneys for the United States

24 UPON CONSIDERATION OF THE FOREGOING, IT IS BY THE COURT ON THIS

25 _____ DAY OF _____, 200_____, ORDERED THAT THE CASE BE, AND HEREBY IS,
26 DISMISSED AGAINST DEFENDANT 636 SAN PABLO AVENUE, ALBANY,
27 CALIFORNIA, PURSUANT TO RULE 41(a)(2), FEDERAL RULES OF CIVIL PROCEDURE,
28 WITH EACH PART TO BEAR HIS OR ITS OWN ATTORNEYS' FEES AND COSTS; AND
IT IS FURTHER ORDERED THAT THE CASE BE, AND HEREBY IS, DISMISSED.

25 HONORABLE MAXINE M. CHESNEY
26 United States District Judge

1 and an answer in connection with defendant 636 San Pablo Avenue. The parties previously
 2 dismissed defendant Real Property and Improvements Located at 3959 Cowan Road, Lafayette,
 3 California. See Stipulation and Order, filed December 24, 2008.

4 Counsel for the United States and counsel for Abraham Norton and Winslow Norton,
 5 Harold Rosenthal, agree, subject to the Court's approval, that this action be and hereby is
 6 DISMISSED as against defendant 636 San Pablo Road pursuant to Rule 41(a)(2), Federal Rules
 7 of Civil Procedure, with each party is to bear his or its own attorneys' fees and costs.
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9 IT IS SO STIPULATED:

10 Dated: May 17, 2009

fir

By:

LAW OFFICES OF HAROLD ROSENTHAL

HAROLD ROSENTHAL

Attorneys for claimants Winslow Norton
and Abraham Norton

12 Dated: May 27, 2009

By:

Edward G. Schloss

EDWARD G. SCHLOSS
Attorney for Bayview Loan Servicing LLC

14 Dated: May 27, 2009

Joseph P. Russomello

JOSEPH P. RUSSONIELLO

United States Attorney

16 Dated: May 27, 2009

By:

Patricia J. Kennedy

PATRICIA J. KENNEDY
Assistant United States Attorney
Attorneys for the United States

18 UPON CONSIDERATION OF THE FOREGOING, IT IS BY THE COURT ON THIS
 19 22nd DAY OF June, 2009, ORDERED THAT THE CASE BE, AND HEREBY IS,
 20 DISMISSED AGAINST DEFENDANT 636 SAN PABLO AVENUE, ALBANY,
 21 CALIFORNIA, PURSUANT TO RULE 41(a)(2), FEDERAL RULES OF CIVIL PROCEDURE,
 22 WITH EACH PART TO BEAR HIS OR ITS OWN ATTORNEYS' FEES AND COSTS; AND
 23 IT IS FURTHER ORDERED THAT THE CASE BE, AND HEREBY IS, DISMISSED.

25 *Maxine M. Cheaney*
HONORABLE MAXINE M. CHEANEY
26 United States District Judge

27
28 Stip & Order of Dismissal of
Defendant 636 San Pablo Avenue
No. 07-4432 MMC